Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Message Text

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PAGE 01 STATE 171461
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INFO OCT-01 EUR-12 ISO-00 L-03 ACDA-12 CIAE-00 INR-10
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TO AMEMBASSY LISBON

C O N F I D E N T I A L STATE 171461

E.O. 11652: GDS

TAGS: ENRG, TECH

SUBJECT: PEACEFUL NUCLEAR COOPERATION AGREEMENT

REF: LISBON 4732

1. THE FOLLOWING IS MATERIAL REQUESTED IN REFTEL.

2. AS REQUESTED IN PARA A) REFTEL NUMBERED SUBPARAS 3 AND 4 ARE AS FOLLOWS: QUOTE 3. SPECIAL NUCLEAR MATERIAL OTHER THAN LOW-ENRICHED URANIUM AND MATERIAL COMTEMPLATED UNDER PARA 6 MAY, IF THE PARTIES AGREE, BE TRANSFERRED FOR SPECI-FIED APPLICATIONS WHERE TECHNICALLY AND ECONOMICALLY JUSTI-FIED OR WHERE JUSTIFIED FOR THE DEVELOPMENT AND DEMONSTRA--ION OF REACTOR FUEL CYCLES TO MEET ENERGY SECURITY AND NON-PROLIFERATION OBJECTIVES. (FOOTNOTE: SPECIFIC LIMITA-TIONS ON THE IMPLEMENTATION OF THIS PROVISION MAY BE SE; FORTH IN AN ACCOMPANYING NOTE IN LIGHT OF US POLICY TO KEEP AMOUNT OF HEU IN-COUNTRY TO A MINIMUM WITH REGARD TO EXIST-
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PAGE 02 STATE 171461

ING COMMITMENTS AND ENTER INTO NEW COMMITMENTS ONLY IN CASES OF EXCEPTIONAL MERIT.) 4. THE QUANTITY OF SPECIAL NUCLEAR MATERIAL TRANSFERRED TO UNDER THIS AGREEMENT SHALL NOT AT ANY TIME BE IN EXCESS OF THE QUANTITY THE PARTIES AGREE IS NECESSARY FOR ANY OF THE FOLLOWING PURPOSES: THE LOADING OF REACTORS OR USE IN REACTOR EXPERIMENTS, THE EFFICIENT AND CONTINUOUS OPERATION OF SUCH REACTORS OR

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

CONDUCT OF SUCH REACTOR EXPERIMENTS, AND THE ACCOMPLISH-
MENT OF OTHER PURPOSE; AS MAY BE AGREED BY THE PARTIES.
IN THE EVENT OF ANY EXCESS OF HIGH ENRICHED URANIUM, THE
UNITED STATES SHALL HAVE THE RIGHT TO REQUIRE THE RETURN
OF ANY HIGH ENRICHED URANIUM TRANSFERRED PURSUANT TO THIS
AGREEMENT (INCLUDING IRRADIATED HIGH ENRICHED URANIUM)
WHICH CONTRIBUTES TO THIS EXCESS. (FOOTNOTE: IN CERTAIN
CASES, WHERE A SIGNIFICANT BUILD-UP OF URANIUM ENRICHED TO
CLOSE TO TWENTY PERCENT IS ANTICIPATED, A RIGHT TO REQUIRE
THE RETURN OF SUCH MATERIAL MAY ALSO BE INCLUDED.) IF
THIS RIGHT IS EXERCISED, THE PARTIES SHALL MAKE APPROPRIATE
COMMERCIAL ARRANGEMENTS WHICH SHALL NOT BE SUBJECT TO ANY
FURTHER AGREEMENT BETWEEN THE PARTIES AS OTHERWISE CONTEM-
PLATED UNDER ARTICLES 5 AND 6. UNQUOTE.

3. AS REQUESTED IN PARA B) REFTEL PORTION OF SUBPARA 1
CONTAINED IN PARENTHESES IS AS FOLLOWS: QUOTE (EXCEPT AS
CONTAINED IN IRRADIATED FUEL ELEMENTS), UNQUOTE.

4. AS REQUESTED IN PARA C) REFTEL ARTICLE 14 SUBPARA 1
IS AS FOLLOWS: QUOTE 1. EACH OF THE PARTIES SHALL PRO-
VIDE THE OTHER PARTY WITH WRITTEN NOTIFICATION THAT IT HAS
COMPLIED WITH ITS APPLICABLE REQUIREMENTS FOR ENTRY INTO
FORCE OF THIS AGREEMENT. THIS AGREEMENT SHALL ENTER INTO
FORCE ON THE DATE ON WHICH THE LETTER OF SUCH NOTIFICATION
IS RECEIVED, AND SHALL REMAIN IN FORCE FOR A PERIOD OF ( )
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 171461

YEARS. THIS TERM MAY BE EXTENDED FOR SUCH ADDITIONAL
PERIODS AS MAY BE AGREED BETWEEN THE PARTIES IN ACCORDANCE
WITH THEIR APPLICABLE REQUIREMENTS. UNQUOTE. VANCE

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EO Systematic Review
20 Mar 2014
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